

## L6M5call

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

V.

19 CR 366 (LGS)

STEPHEN M. CALK,

Defendant.

New York, N.Y.  
June 22, 2021  
9:45 a.m.

Before:

HON. LORNA G. SCHOFIELD,

District Judge  
And A Jury

## APPEARANCES

## AUDREY STRAUSS

United States Attorney for the  
Southern District of New York

PAUL MONTELEONI

HAGAN SCOTTEN

ALEXANDRA ROTHMAN

KRAMER LEVIN NAFTALIS & FRANKEL

Attorneys for Defendant

BY: PAUL SCHOEMAN

DARREN LaVERNE

MICHELLE BEN-DAVID

LOEB & LOEB

Attorneys for Defendant:

BY: JEREMY MARGOLIS

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1 (Case called)

2 THE DEPUTY CLERK: Counsel, please state your name for  
3 the record.4 MR. MONTELEONI: Good morning, your Honor. Paul  
5 Monteleoni, Hagan Scotten, and Alexandra Rothman for the  
6 government.

7 THE COURT: Good morning.

8 MR. SCOTTEN: Good morning, your Honor.

9 THE COURT: Good morning.

10 MR. SCHOEMAN: Good morning, your Honor. Paul  
11 Schoeman, Darren LaVerne, Jeremy Margolis, this is Mr. Calk,  
12 and, my colleague, Michelle Ben-David, is here for the defense.

13 THE COURT: Good morning.

14 MR. LaVERNE: Good morning, your Honor.

15 THE DEFENDANT: Good morning, your Honor.

16 THE COURT: So, I'm not sure when the venire will be  
17 ready but I thought we could at least take this opportunity to  
18 take care of some housekeeping matters. I received a couple of  
19 applications since we were last together I think over the  
20 weekend but, in any event, it seemed to me that none were so  
21 urgent that we had to meet yesterday to address them. So, let  
22 me first address the issue of summary charts.23 I received an application from the defendant to  
24 preclude the use of certain summary charts summarizing exhibits  
25 and essentially placing them in chronological order. I

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1 received a response from the government. I think most telling  
2 was the case that was cited by the government, *United States v.*  
3 *Ho*, a reported Second Circuit case which obviously is  
4 precedential and binding on me. on very, very similar facts,  
5 meaning similar submission of summary charts, the district  
6 court allowed the charts in with limiting instructions. And  
7 so, my proposal, if there is a sufficient foundation -- or my  
8 inclination, let's put it that way, is to do that. But I'm not  
9 going to pre-admit them, I will wait until Agent Baccari lays  
10 the foundation -- and I assume the government will do that in  
11 the way that the government has proffered -- and she will give  
12 the kind of testimony that the government has proffered which  
13 seems to me proper under *United States v. Ho*. And then,  
14 assuming that there is sufficient foundation and proper  
15 testimony, I would be inclined to admit the summary charts at  
16 that point but I would expect you to offer them and, if there  
17 is any objection, you will of course object.

18 Mr. Schoeman?

19 MR. SCHOEMAN: Your Honor, may I make a couple of  
20 points about the *Ho* case that was cited by the government?

21 THE COURT: Yes.

22 MR. SCHOEMAN: Because I think it actually makes  
23 some -- can you hear me?

24 THE COURT: Not exactly.

25 MR. SCHOEMAN: All right. I will speak louder.

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1                   THE COURT: Wonderful.

2                   MR. SCHOEMAN: I think the *Ho* case makes implicitly  
3 some of the points that the defense was making. *Ho* was a trial  
4 where there were three percipient witnesses who testified in  
5 front of Judge Preska. The percipient witnesses all testified  
6 first and then the government called their summary witnesses  
7 afterwards so that there was no percipient witness who  
8 testified subsequent to the admission of the charts. And the  
9 concern that the defense has, which is reflected in the cases  
10 we cite, is that if the government starts its case with an  
11 agent who has no firsthand or personal knowledge and then calls  
12 witnesses who will say something consistent, it creates an  
13 illusion for the jury that there are actually two witnesses who  
14 are saying what happened. And because the summary agent  
15 actually has no knowledge and really should only be testifying  
16 to the form of this is a piece of paper that I have seen, it's  
17 a little -- it is misleading to the jury. It is a kind of  
18 overview witness that sort of corroborates the government's  
19 case. And so, our real objection was both that the charts were  
20 turned over late but also that the government seems like it  
21 wants to call its summary witness before any other testimony as  
22 a way of suggesting that the FBI has done an investigation and  
23 agrees with the witnesses who are to follow.

24                   So, in the *Ho* case I think the only issue in the *Ho*  
25 case was that the defense said those charts are perfectly

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1 accurate, we don't dispute them, we just don't want them to  
2 come into evidence. That's a sort of minor part of what we are  
3 objecting to. It is really the previewing of the case with an  
4 FBI agent before any of the evidence has been admitted through  
5 a percipient witness.

6 THE COURT: OK. I mean I will hear from the  
7 government in just a second but my inclination is, based on the  
8 government's representation, that this would not be the first  
9 witness and that in fact the plan is for this witness to be the  
10 sixth witness, subject to the variables and vagaries of our  
11 schedule. I appreciate having heard your objection because I  
12 will try to make it clear in my limiting instruction that what  
13 they are hearing is not evidence. I am sure, when the  
14 government lays the foundation, they will make it clear that  
15 this is essentially a summary of things that are in evidence  
16 and I will instruct the jury that part of their job is to  
17 assure and be satisfied that it is in fact an accurate summary  
18 of the evidence and that it is not evidence itself which is  
19 what I understand was the thrust of the instruction in *Ho*.

20 Thank you for your comment.

21 MR. SCHOEMAN: Thank you, your Honor.

22 THE COURT: So that is summary charts.

23 With respect to Government's Exhibits 610 and 611,  
24 there was an objection as to hearsay. The government has  
25 redacted those exhibits and eliminated, to me, what seems like

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1 hearsay, they're not statements offered for the truth  
2 remaining. I'm not going to pre-admit them because there is  
3 still I think an objection as to authentication. So, I will  
4 reserve on that, you can offer them at the time, and my  
5 inclination, if the objection is hearsay, would be to admit  
6 them. If there is any other objection I would like to hear it  
7 now because I don't allow speaking objections, although one  
8 word is OK. It is all right to stand up and say "hearsay" but  
9 I don't want a sentence or anything longer than that. So, we  
10 can wait until then.

11 With respect to the preliminary charge, thank you. I  
12 know you have got a lot to do in the days right before trial  
13 and I had invited you to submit to me an alternative to the  
14 instruction that I had proposed to give to the jury about the  
15 nature of the charges and what their job would be during the  
16 trial and I have reviewed what you submitted. My decision is  
17 that I will give the preliminary charge that we discussed at  
18 the final pretrial conference and that I had distributed in  
19 advance of the final pretrial conference and the reason is that  
20 it seemed to me that it is more balanced. The submission from  
21 the defendant I think puts emphasis on what I anticipate the  
22 defenses would be and, frankly, that is what a good defense  
23 lawyer would submit. So, thank you, but I think what I will do  
24 is just give the charge that I had distributed and that we  
25 discussed.

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1                   And then in terms of exhibits, I am prepared to admit  
2 exhibits now, certain exhibits. Based on the chart that I  
3 received from the government what I am admitting now are  
4 exhibits as to which there were no objections. So, in other  
5 words, both parties agreed to admissibility and that includes  
6 both government exhibits and defense exhibits, as well as  
7 exhibits where I received further argument from the parties in  
8 your submissions, we discussed some of them at the final  
9 pretrial conference, and I gave you indications of what my  
10 rulings were as to overrule objections or accepting the  
11 objections.

12                   So, let me get the appropriate document and I will  
13 read them into the record. So, I am admitting now Government's  
14 Exhibits: 1 through 5, 101 through 108, 110 through 121, 131,  
15 137, 139 to 144, 146 and 147, 149 and 150, 152, 154, 156, 158  
16 to 161, 163 to 164, 169, 172 to 173, 175 to 176, 181 to 182,  
17 184, 186, 186-B, 181 to 191, 193, 196 to 198, 200 to 203, 206,  
18 208, 211 to 213, 215 to 217, 219, 222, 225 to 226, 228 to 230,  
19 230-A, 231, 233 to 237, 240, 244 to 245, 248 to 249, 252, 254,  
20 256, 257, 259 to 261, 263 and 264, 266, 268 to 272, 276, 278 to  
21 284, 286, 289 to 290, 291-A, 293, 295 to 300-A, 302, 304 to  
22 312, 314, 316, 317 to 325, 327, 330, 332 to 333, 334 to 337,  
23 341, 345, 348 to 349, 360-A to 360-D, 451-A, 451-I, 451-1R, as  
24 in Robert, 451-T, 453 to 455, 501 to 501-3, 551, 562, 566 and  
25 567, 801 to 812, 851 to 854, 951, 954 to 955, 957 to 959, 1009

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1 to 1012, 1102, 1201, 1202 to 1208, 1209 and 1210, 1211 and  
2 1212, 1213 to 1218, 1251, 2201 to 2212 and 2216.

3 Those are all Government's Exhibits.

4 (Government's Exhibits 1 to 5, 101 to 108, 110 to 121,  
5 131, 137, 139 to 144, 146, 147, 149, 150, 152, 154, 156, 158 to  
6 161, 163 to 164, 169, 172 to 173, 175 to 176, 181 to 182, 184,  
7 186, 186-B, 181 to 191, 193, 196 to 198, 200 to 203, 206, 208,  
8 211 to 213, 215 to 217, 219, 222, 225 to 226, 228 to 230,  
9 230-A, 231, 233 to 237, 240, 244 to 245, 248 to 249, 252, 254,  
10 256, 257, 259 to 261, 263, 264, 266, 268 to 272, 276, 278 to  
11 284, 286, 289 to 290, 291-A, 293, 295 to 300-A, 302, 304 to  
12 312, 314, 316, 317 to 325, 327, 330, 332 to 333, 334 to 337,  
13 341, 345, 348 to 349, 360-A to 360-D, 451-A, 451-I, 451-1R,  
14 451-T, 453 to 455, 501 to 501-3, 551, 562, 566, 567, 801 to  
15 812, 851 to 854, 951, 954 to 955, 957 to 959, 1009 to 1012,  
16 1102, 1201, 1202 to 1208, 1209, 1210, 1211, 1212, 1213 to 1218,  
17 1251, 2201 to 2212, 2216 received in evidence)

18 THE COURT: I am also admitting the following defense  
19 exhibits: 10-18, 100, 104 to 110, 120 and 121, 121-A to 121-F,  
20 122 and 122-A and 122-B, 123 to 125, 125-A to 125-E, 127, 131,  
21 133, 141, 141-A, 142, 146, 146-A, 147 and 148, 148-A, 149 and  
22 149-A, 151 and 152, 154 and 155, 155-A, 156, 157, 157-A and  
23 157-B, 158 and 158-A, 159 to 161, 161-A and 161-B, 162, 162-A  
24 and 162-B, 164, 164-A and 164-B, 166, 167, 167-A to 167-D, 169,  
25 172 and 173, 173-A, 179 and 179-A, 180, 181 and 181-A, 183 and

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1 183-A, 184 and 184-A, 185, and 185-A and 185-B, 186, 186-A and  
2 186-B, 187, 191, 191-A and 191-B, 192, 192-A and 192-B, 193,  
3 193-A, 199 and 200, 200-A, 203 and 204, 207 and 208, 208-A and  
4 208-D, 210, 217, 217-A through 217-C, 222 through 224, 224-A to  
5 224-B, 225 and 226, 226-A and 226-B, 227, 232, and 232-A and  
6 232-B, 233 and 233-A through 233-F, 234, 237, 245 and 246,  
7 246-A to 246-C, 247 to 249, 249-A through 249-B.

8 (Defendant's Exhibits 10 to 18, 100, 104 to 110, 120,  
9 121, 121-A to 121-F, 122, 122-A, 122-B, 123 to 125, 125-A to  
10 125-E, 127, 131, 133, 141, 141-A, 142, 146, 146-A, 147, 148,  
11 148-A, 149, 149-A, 151, 152, 154, 155, 155-A, 156, 157, 157-A,  
12 157-B, 158, 158-A, 159 to 161, 161-A, 161-B, 162, 162-A, 162-B,  
13 164, 164-A, 164-B, 166, 167, 167-A to 167-D, 169, 172, 173,  
14 173-A, 179, 179-A, 180, 181, 181-A, 183, 183-A, 184, 184-A,  
15 185, 185-A, 185-B, 186, 186-A, 186-B, 187, 191, 191-A, 191-B,  
16 192, 192-A, 192-B, 193, 193-A, 199, 200, 200-A, 203, 204, 207,  
17 208, 208-A, 208-D, 210, 217, 217-A through 217-C, 222 through  
18 224, 224-A to 224-B, 225, 226, 226-A, 226-B, 227, 232, 232-A  
19 and 232-B, 233, 233-A through 233-F, 234, 237, 245, 246, 246-A  
20 to 246-C, 247 to 249, 249-A through 249-B received in evidence)

21 THE COURT: I am also admitting, in part, the  
22 following exhibits and the "in part" was discussed at the final  
23 pretrial conference and I think everyone understands what the  
24 limitations are: 51-1 through 51-5, 136, 165, 167, 185, 209,  
25 218, 223, 227, 273, 315 and 953.

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1                   Those were all Government's Exhibits.

2                   (Government's Exhibits 51-1 through 51-5, 136, 165,  
3 167, 185, 209, 218, 223, 227, 273, 315, 953 received in  
4 evidence)

5                   THE COURT: There are also two government's exhibits  
6 that I am admitting subject to connection or admitting  
7 conditionally and they are 552 and 1152.

8                   (Government's Exhibits 552 and 1152 received in  
9 evidence)

10                  THE COURT: Anything else you want in evidence you  
11 should move into evidence either at the time during the  
12 testimony or if there is some discussion you want you can ask  
13 for it either at the beginning of the trial day or at the end  
14 of the trial day.

15                  Yes?

16                  MR. MONTELEONI: Thank you, your Honor. On that,  
17 there are several exhibits that we have added and some that the  
18 defense have added recently. Obviously, since those happened  
19 after the sort of prescribed objection time we haven't really  
20 gotten to a point of exchanging objections and I was just  
21 wondering, would it be possible to just sort of set a time for  
22 when we would do that? We would certainly propose talking to  
23 the defense about it tonight but we would like to get some of  
24 these new exhibits ready for potentially our witnesses  
25 tomorrow.

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1                   THE COURT: So, ideally what you would do is talk to  
2 each other and perhaps agree to the admissibility of some  
3 substantial portion and then, in the same way that you had  
4 grouped the exhibits for our prior discussions, if there are  
5 groupings, or if you think they are similar to my rulings as to  
6 other exhibits, if you could present that to me? I am happy to  
7 hear it whenever and however the parties can agree, and if you  
8 can't agree then I will impose something. But, I would let you  
9 talk first to see if you can agree on something.

10                  Let me just ask Mr. Street where we are with the  
11 venire because you may even have time to talk now. (pause)

12                  So we haven't heard anything about the venire or any  
13 projections when they might be ready so I will go off the  
14 bench, I will give you a chance to talk to each other if you  
15 can agree on something or, if you can't, you can respectively  
16 propose something, then I will hear it.

17                  Yes?

18                  MR. MONTELEONI: Thank you, your Honor.

19                  As soon as there is a break we will talk to the  
20 defense about it. We have two other things to raise. One,  
21 just as a sort of a housekeeping matter, I understand that the  
22 Court's rule, COVID protocols for non-jury proceedings are  
23 somewhat different and more relaxed than the jury proceedings.  
24 If, during times like this when the jury isn't here it would be  
25 possible to sort of apply the non-jury rules and bring an extra

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1 chair so the AUSAs could all be at the table we would  
2 appreciate that.

3 THE COURT: I am going to deny that. Sorry. And the  
4 only reason is that I don't want to defy my Court's rules and  
5 the rule, it says for non-jury proceedings and this is a jury  
6 proceeding even though the jury is not here and so I would  
7 like, as much as I would like to take my mask off but that  
8 doesn't seem to be the protocol. My guess is that it will  
9 change during the course of this trial. I think it will change  
10 soon.

11 MR. MONTELEONI: All right. Thank you, your Honor.

12 The other is that we -- I think that there are some  
13 exhibits that are now fully briefed that we put in a letter in  
14 the 700 series, 701, 702, 704 and 719 that we had letters  
15 coming in over the weekend on. I don't know if the Court  
16 wishes to hear from us on that.

17 THE COURT: Maybe the thing for me to do, can you just  
18 remind me which one those exhibits are?

19 MR. SCOTTEN: Your Honor, I will give you the exhibits  
20 and also the docket numbers. The government had a letter of  
21 June 18 which is docket no. 225 which the defense responded to  
22 on June 20th in docket no. 227, and there are sort of two  
23 issues in there. The first is as to Government Exhibit 701,  
24 702, 704 and 719 which are OCC regulations that were e-mailed  
25 to the defendant. And then a separate issue, Government

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1 Exhibit 285, which is the voicemail left by James Brennan --  
2 this wasn't ruled up on at the PTC because it was a voicemail  
3 and wasn't teed up right. Frankly, on the voicemail -- and  
4 there is no urgency, Mr. Brennan is not testifying today or  
5 unless we go very quickly tomorrow -- we would appreciate the  
6 Court's ruling on the OCC exhibits because Mr. Paulson is  
7 likely to testify fairly soon. It is a fairly minor issue. We  
8 already have a ruling on the substance of his testimony. The  
9 question is can he show the regulations that were emailed to  
10 the defendant which we think it is helpful both in showing the  
11 jury what the regulations --

12 THE COURT: Just say that again? The issue is?

13 MR. SCOTTEN: So, the issue is just the admissibility  
14 of the exhibits and the exhibits are, to be more specific, two  
15 cover letters that would be emailed by the OCC to, among other  
16 people, bank chairmen -- actually bank CEOs which the defendant  
17 was; and then two organization portions of two OCC regulations  
18 which were sort of the regulations being announced by the cover  
19 letters. And so, we want to show those regulations to the jury  
20 so that when Mr. Paulson testifies, as the Court has already  
21 ruled he can, about background regulation and that banks were  
22 informed of this and that the defendant was likely to be aware  
23 of them we want to say, one, here is what he is talking about  
24 when he talks about X regulation; and two, look, this was  
25 actually sent to the defendant so this is one of the ways in

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1 which a bank CEO would be informed of these regulations.

2 THE COURT: Or at least this was sent to bank CEOs and  
3 the defendant is a bank CEO.

4 MR. SCOTTEN: Correct. He was at the time that they  
5 were emailed out.

6 And since your Honor gave me a minute I should note,  
7 just so that if your Honor is going to resolve it over lunch or  
8 something, that in the defense response they make two requests  
9 which we are actually agreeable with so there is no need for  
10 your Honor to consider it. One is they ask to not elicit  
11 Mr. Paulson's current position. He is currently essentially  
12 the no. 2 at the OCC and we are fine with that, it doesn't have  
13 any relevance to his testimony. We do need to elicit his  
14 position as of 2018 where he was sort of head of the OCC  
15 Chicago office. That's important because that's how he gets to  
16 meet the defendant and have this interaction he is going to  
17 testify about.

18 THE COURT: Is there any objection to that?

19 MR. SCOTTEN: I don't know. They just ask that he not  
20 talk about his current position.

21 THE COURT: I will hear from the defendant in a  
22 second.

23 So, you said in the defense response there were two  
24 requests with which you agree; one was not to elicit his  
25 current position and the other was?

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1                   MR. SCOTTEN: The other is the defense -- I'm not sure  
2 if it was a request so much as a complaint -- not to be  
3 pejorative -- but they were concerned that if we asked  
4 Mr. Paulson what the defendant said about the loans, one of the  
5 things Mr. Paulson would testify to was that the defendant  
6 essentially said any banker in Chicago would have made these  
7 loans because the collateral was great. And the defense said,  
8 well, if we bring that out of Mr. Calk and then five minutes  
9 later Mr. Paulson is testifying under OCC regulations "the  
10 collateral is great" is not a safe and sound banking practice  
11 it would look like we were using Mr. Paulson to kind of  
12 directly rebut the defendant's testimony alone. We do not  
13 intend to elicit that statement, it is frankly an exculpatory  
14 statement by the defendant that we don't want to elicit and the  
15 defense has no right to elicit. We are solely going to ask  
16 Mr. Paulson about essentially whether -- about the false  
17 statement that the defendant played to him denying that he  
18 sought a position in the Trump Administration and he did this  
19 in the context of the Manafort loans. We are not going to  
20 elicit the defendant's substantive statements on the quality of  
21 the Manafort loans and therefore when Mr. Paulson talks about  
22 these OCC regulations it will not, you know, look like he is  
23 sort of telling you, *Hey, look, the OCC regulations --*

24                   THE COURT: It sounds like that was an effective  
25 defense request to which you conceded.

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1 MR. SCOTTEN: I think that's right, your Honor.

2 THE COURT: Since we are talking about these why don't  
3 I hear from the defense both on Government's Exhibits 701, 702,  
4 704 and 719 and then anything else.

5 MR. LAVERNE: Thank you, your Honor. And we  
6 appreciate the government's concession of those couple of  
7 points and I think that that fielded that issue. Just though I  
8 would see in terms of identifying Mr. Paulson's position, my  
9 understanding is at the time of the events in question I think  
10 his title is something like senior deputy comptroller of the  
11 OCC. I disagree with Mr. Scotten. I don't think it is  
12 necessary to say what his title was or the seniority of his  
13 position at the time of this meeting. The meeting can easily  
14 be explained by saying simply that Mr. Paulson was employed by  
15 the OCC, he was involved in the examination -- or however they  
16 want to put it. I don't think that eliciting his title is  
17 relevant here and I think that even saying he is the head of  
18 the Chicago office or he is Senior Deputy Comptroller is very  
19 likely to have prejudicial effect given the concerns your Honor  
20 raised the last time we discussed the issue about the jury  
21 being given the impression that he was a high-level person from  
22 the OCC here talking about these regulations, their importance,  
23 bankers always follow them. It is going to have an unfair  
24 prejudicial effect on Mr. Calk.

25 MR. SCOTTEN: Your Honor, if the title is a concern we

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1 are happy to not ask about the title. We don't think that  
2 really conveys anything. The fact that Mr. Paulson was  
3 managing the Chicago office is relevant. One, the jury is also  
4 going to hear from sort of the line-level bank examiner about a  
5 different meeting. It is important to know why there is two  
6 meetings; and two, the fact that this was a meeting called at  
7 Mr. Calk's request of the chairman of the bank saying I want to  
8 talk to sort of the regional manager lends weight and  
9 significance to the meeting where Mr. Calk goes on to make  
10 false statements about his interest in the position. It is  
11 significant that it is sort of a principal-to-principal  
12 meeting. I don't think saying *I was in charge of the Chicago*  
13 *office* is going to imbue Mr. Paulson with such authority -- it  
14 is not like saying he is the head of the OCC -- which he was  
15 recently, we are not going to tell the jury that -- but I think  
16 it is fine to say, look, I managed the Chicago office, one of  
17 my regional banks wanted to meet with me. I think that makes  
18 sense to the jury.

19 MR. LAVERNE: If the government wants to say he  
20 managed the Chicago office, that is fine.

21 THE COURT: OK. You want to say that he managed the  
22 Chicago office and agree with that and everyone agrees?

23 MR. SCOTTEN: I will talk to Mr. Paulson beforehand.  
24 I will ask him what were you doing for OCC at the time. He may  
25 say I ran the Chicago office, I was in charge of the Chicago

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1 offices or something like that.

2 THE COURT: You might prompt him for "manage".

3 MR. SCOTTEN: Manage is better. I am sure I can get  
4 him to say that.

5 THE COURT: What about the regulations and cover  
6 letters, Government Exhibit 701, 702, 704, 719?

7 MR. LAVERNE: I think with all the agreements we just  
8 happened to reach in the courtroom I think we are OK, we will  
9 cross on those exhibits.

10 THE COURT: So I will admit 701, 702, 704 and 719.

11 (Government's Exhibits 701, 702, 704 and 719 received  
12 in evidence)

13 THE COURT: Is there anything else we can take care of  
14 right now?

15 MR. SCOTTEN: No, your Honor. 285 can wait, it is an  
16 open issue, it is exceedingly minor and won't come up today.

17 THE COURT: OK.

18 MR. SCHOEMAN: Your Honor, the tiniest of clerical  
19 issues. When your Honor admitted exhibit -- I think you said  
20 "10 dash 18" and I want to make it clear for the record it is  
21 intended to be 10 through 18.

22 THE COURT: Through 18, OK. Were those defense  
23 exhibits?

24 MR. SCHOEMAN: Those are defense exhibits.

25 THE COURT: OK. So thank you for the correction.

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1 Defense Exhibits 10 through 18 are admitted.

2 We are adjourned now briefly. You can confer with  
3 each other about additional exhibits and Mr. Street will let us  
4 know when we have word about the venire.

5 (Recess; Jury selection under separate cover)

6

7 GOVERNMENT EXHIBITS

8 Exhibit No. Received

9 1 to 5, 101 to 108, 110 to 121, 131, . . . . 11

10 137, 139 to 144, 146, 147,

11 149, 150, 152, 154, 156, 158

12 to 161, 163 to 164, 169, 172

13 to 173, 175 to 176, 181 to

14 182, 184, 186, 186-B, 181 to

15 191, 193, 196 to 198, 200 to

16 203, 206, 208, 211 to 213, 215

17 to 217, 219, 222, 225 to 226,

18 228 to 230, 230-A, 231, 233 to

19 237, 240, 244 to 245, 248 to

20 249, 252, 254, 256, 257, 259

21 to 261, 263, 264, 266, 268 to

22 272, 276, 278 to 284, 286, 289

23 to 290, 291-A, 293, 295 to

24 300-A, 302, 304 to 312, 314,

25 316, 317 to 325, 327, 330, 332

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2                   348 to 349, 360-A to 360-D,  
3                   451-A, 451-I, 451-1R, 451-T,  
4                   453 to 455, 501 to 501-3, 551,  
5                   562, 566, 567, 801 to 812, 851  
6                   to 854, 951, 954 to 955, 957  
7                   to 959, 1009 to 1012, 1102,  
8                   1201, 1202 to 1208, 1209,  
9                   1210, 1211, 1212, 1213 to  
10                  1218, 1251, 2201 to 2212, 2216  
11                  51-1 through 51-5, 136, 165, 167, 185, . . . . 13  
12                  209, 218, 223, 227, 273, 315,  
13                  953  
14                  552 and 1152 . . . . . . . . . . . . . . . . . . 13  
15                  701, 702, 704 and 719 . . . . . . . . . . . . . . . . . 21

## 16                   DEFENDANT EXHIBITS

| 17                  Exhibit No.                                    | Received |
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| 21                  125-E, 127, 131, 133, 141,                     |          |
| 22                  141-A, 142, 146, 146-A, 147,                   |          |
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3                   164-B, 166, 167, 167-A to  
4                   167-D, 169, 172, 173, 173-A,  
5                   179, 179-A, 180, 181, 181-A,  
6                   183, 183-A, 184, 184-A, 185,  
7                   185-A, 185-B, 186, 186-A,  
8                   186-B, 187, 191, 191-A, 191-B,  
9                   192, 192-A, 192-B, 193, 193-A,  
10                  199, 200, 200-A, 203, 204,  
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13                  through 224, 224-A to 224-B,  
14                  225, 226, 226-A, 226-B, 227,  
15                  232, 232-A and 232-B, 233,  
16                  233-A through 233-F, 234, 237,  
17                  245, 246, 246-A to 246-C, 247  
18                  to 249, 249-A through 249-B

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